



DOGS NSW COMPLAINTS PROCEDURES

1. DOGS NSW will not deal with anonymous complaints, whether by telephone, email or in writing.
2. **DOGS NSW will not discuss complaint matters over the telephone. All enquires or discussion of complaints must be by email or in writing.**
3. DOGS NSW will not become involved in disputes between members in relation to the sale of dogs. These are usually private matters to be determined by the contractual agreements between parties. Disputes on such matters should be resolved through NSW Fair Trading/NCAT or the Courts and not by DOGS NSW.
4. Complaints must be submitted directly by the complainant to DOGS NSW (not via a third party).
5. The complainant must, in the first instance, make all attempts to resolve the problem with the member who is the subject of their complaint, eg, breeder; ie, discuss options of refund, partial refund or replacement, DNA testing, etc.
6. If unable to come to an agreement, the complainant should submit the complaint **on the DOGS NSW-Complaint Lodgement Form** to DOGS NSW, along with all evidence such as documentary proof they have attempted to resolve the matter and, where the breeder/seller has refused, proof of the breeder's/seller's refusal, receipt/proof of purchase, veterinary report, photographic evidence, etc.
7. The complainant should, **on the DOGS NSW-Complaint Lodgement Form**, include reference to the specific DOGS NSW Regulation which it is alleged is being breached. DOGS NSW Regulations can be viewed on the website at: <https://www.dogsnsw.org.au/members/regulations/>

It should be noted that in some cases, a complaint lodgement fee of \$150.00 is required in order for the complaint to progress. (Refer Regulations Part XI - Inquiries, Investigations & Appeals, Section 3.4(a), which states:-

3.4(a) Until the Board of Directors otherwise determines, a fee of \$150.00 is payable upon the lodgment of a complaint with the RNSWCC Secretary.

Upon receipt of **all** of the above requirements and confirmation that the respondent is a current financial member of DOGS NSW, the complaint will be forwarded to the DOGS NSW Disputes Assessment Panel for consideration.

VIRGINIA GAGAN-WILSON
Company Secretary

PLEASE BE ASSURED THAT DOGS NSW TAKES ANY COMPLAINTS ABOUT ITS MEMBERS IN A SERIOUS MANNER. As you may be aware, there are various types of complaints received by DOGS NSW Office and these are dealt with as follows:-

ETHICS & WELFARE COMPLAINTS

These complaints relate to issues such as unethical breeding, sale of a dog in ill health and other similar clauses in the Code of Ethics, however, it should be noted that DOGS NSW Regulations Part XIII-Code of Ethics, Clause 23 states:-

23. *Members shall at, or prior to, the sale or transfer of a dog provide to the purchaser or transferee written notice of any medical condition, disease or injury from which the dog is suffering. It is a defense to any complaint against a Member for contravention of this Clause if the Member proves that it was not reasonably practicable for the Member to know that the dog was suffering from the medical condition, disease or injury at the time of sale or transfer. It is recommended that members obtain a receipted copy of any notice given pursuant to this Regulation. (05/18)*

Ethics & Welfare complaints do **NOT** attract a complaint fee and are referred to the DOGS NSW Ethics & Welfare Working Party.

ANIMAL WELFARE & COMMUNITY LIAISON COMPLAINTS

These complaints relate to matters such as:-

- Advertising by a DOGS NSW Member of unregistered dogs, cross breeds, unrecognised breeds, dogs sold without papers, etc,
- Non-display of membership number on an advertisement or advertising to be a registered breeder when they are not
- Complaints of poor kennel conditions or over breeding
- Other matters that may require an inspection of a DOGS NSW Member's premises.

AWCLO complaints do **NOT** attract a complaint fee and should be referred to the CEO for onforwarding to the Animal Welfare & Community Liaison Officer.

DISPUTES ASSESSMENT COMPLAINTS

These complaints are generally direct breaches of ANKC Ltd and/or Dogs NSW Regulations, such as:-

- Altercation at a show (Misconduct)
- Unsportsmanlike behaviour (Misconduct)
- Failure to resolve a Non-supply of Registration papers matter
- 3rd Offence breach of Code of Ethics
- Disparage a Judge at a Show
- Incorrectly enter a dog in a show
- Forging documents
- Making derogatory or disparaging remarks by a DOGS NSW member on Facebook or other forms of social media that is a breach of Dogs NSW Articles or Regulations
- Cyber bullying by a DOGS NSW Member
- DOGS NSW Member using obscene or sexually explicit language or material in any form of media

Disputes Assessment Panel complaints **DO** attract a complaint fee of \$150.00 and are referred to the Disputes Assessment Panel for consideration and determination as to whether the matter should proceed to an Inquiry Hearing.

The above lists are not exhaustive lists, only examples.



DOGS NSW - COMPLAINT LODGEMENT FORM

COMPLAINT SUBMITTED BY:	
MEMBERSHIP NO:	<i>Where submitted by DOGS NSW Board - Minute reference)</i>
COMPLAINT LODGED AGAINST:	
ALLEGATION:	
ARTICLES/REGULATIONS ALLEGEDLY BREACHED:	
STATEMENT BY COMPLAINANT ATTACHED: <i>Written statement must be attached</i>	
NAME OF ANY WITNESS/S UPON WHICH COMPLAINT RELIES:	
WITNESS STATEMENTS ATTACHED: <input type="checkbox"/> YES <input type="checkbox"/> NO <i>(If a complainant is relying on the evidence of a witness, a witness statement should be attached)</i>	
IS THERE ANY OTHER SUPPORTING DOCUMENTATION ATTACHED	<input type="checkbox"/> YES <input type="checkbox"/> NO
SIGNATURE OF COMPLAINANT:	DATE:

OFFICE USE ONLY:
FILE NO:
MEMBERSHIP TYPE/STATUS:
COMPLAINT FEE PAID:

The completed application should be forwarded to: The Secretary, DOGS NSW, P.O. Box 632, St Marys NSW 1790
Royal New South Wales Canine Council Ltd ABN 69 062 986 118 trading as DOGS NSW
Phone 02 9834 3022 or email info@dogsnsw.org.au